IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL WRIT No. 7551 of 2007

SOMENDRA GURJAR
V/S
STATE & ORS.

Mr. SHAMBHOO SINGH, for the appellant / petitioner

Mr. B.L.BHATI, Dy.G.A., for the respondent State

Date of Order : 20.11.2007

HON'BLE SHRI N P GUPTA,J.
HON'BLE SHRI MUNISHWAR NATH BHANDARI,J.

ORDER

Admittedly, the dam is a private property and by this PIL, the petitioner seeks for setting aside the letter dated 01.06.2007, Annexure 8 and to have the dam declared as a public property and a direction for reconstruction of dam and certain other reliefs have also been prayed. Admittedly, the dam is a private property of the private respondents.

In our view, in Public Interest Litigation, the property cannot be declared to be public property. The Collector has already directed the dam be got repaired by the private respondents.

The writ petition is therefore dismissed.

(MUNISHWAR NATH BHANDARI),J. (N P GUPTA),J.

preety